



6 **HONORABLE ROBERT J. BRYAN**

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE WESTERN DISTRICT OF WASHINGTON**
9 **AT TACOMA**

10 **PHILIP CHINN,**

11 **Plaintiff,**

NO. C 09 5119 RJB

12 **v.**

**STIPULATION AND ORDER
OF CONTINUANCE OF TRIAL
AND PRETRIAL DATES**

13 **BENJAMIN BLANKENSHIP, individually**
14 **and in his capacity as a TROOPER of the**
15 **WASHINGTON STATE PATROL and**
16 **JANE DOE BLANKENSHIP, and the**
17 **marital community thereof, RICHARD C.**
18 **PIGMON, individually and in his Official**
19 **capacity as a TROOPER of the**
20 **WASHINGTON STATE PATROL and**
21 **JANE DOE PIGMON, and the Marital**
22 **community thereof; MARK S. SVINTH**
23 **individually and in his Official Capacity as**
24 **a TROOPER of the WASHINGTON STATE**
25 **PATROL and JANE DOE SVINTH and the**
26 **Marital community thereof; JONATHAN**
P. PITTS, individually and in his Official
capacity as a TROOPER of the
WASHINGTON STATE PATROL, and
JANE DOE PITTS and the Marital
Community thereof; CARRIE A GORDON
individually and in her Official capacity as
a TROOPER of the WASHINGTON STATE
PATROL and JOHN DOE GORDON and
the Marital community thereof; CITY OF
ABERDEEN, COUNTY OF GRAYS
HARBOR, DOES 1-250,

Defendants.



09-CV-05119-ORD

**STIPULATION AND ORDER OF CONTINUANCE
OF TRIAL AND PRETRIAL DATES - 1**

Cause No: C09-5119 RJB

LAW, LYMAN, DANIEL,
KAMERRER & BOGDANOVICH, P.S.
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(360) 754-3480 FAX: (360) 357-3511

STIPULATION

Whereas the parties agree that discovery has been delayed substantially due to the need to resolve the issues involving the interests of the United States in certain documents before conducting discovery; and

Whereas the parties recognize that the delay resulting from the consideration of the interests of the United States has made it impractical to complete discovery in advance of current deadlines;

The parties, therefore, through their respective counsel, respectfully submit this stipulation and agreement to the following modification of dates in the Minute Order Setting Trial, Pretrial Dates and Ordering Mediation:

| | |
|--|------------------------|
| 10 Days JURY TRIAL set for | 02/07/11 at 9:30 AM |
| Plaintiff's disclosure of expert testimony under FRCP 26(a)(2) | 07/07/10 |
| Defendants' disclosure of expert testimony under FRCP 26(a)(2) | 08/09/10 |
| Plaintiff's disclosure of rebuttal expert testimony under FRCP 26(a)(2) | 08/30/10 |
| All motions related to discovery must be FILED by | 09/13/10 |
| Discovery COMPLETED by | 10/01/10 |
| All dispositive motions must be filed by | 10/14/10 |
| Settlement conference per CR 39.1(c)(2) HELD no later than | 12/03/10 |
| Mediation per CR 39.1(c)(3) HELD no later than | 01/03/11 |
| Letter of compliance as to CR 39.1 FILED by | 01/10/11 |
| Motions in limine FILED by and NOTED on the motion calendar no later than second Friday thereafter | 01/03/11 |
| Agreed pretrial order LODGED with the court by | 01/21/11 |
| Pretrial conference will be HELD on (COUNSEL SHALL REPORT TO COURTROOM A) | 01/28/11 at 8:30 AM |
| Trial briefs, proposed voir dire & jury instructions due | 01/28/11 |

STIPULATION AND ORDER OF CONTINUANCE
OF TRIAL AND PRETRIAL DATES - 2

Cause No: C09-5119 RJB

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1
2 3/3/10
3 Date

/s/ Nathan T. Alexander
Nathan T. Alexander, WSBA No 37040
Attorney for Plaintiff

4
5 3/3/10
6 Date

/s/ Guy Bogdanovich
Guy Bogdanovich, WSBA No 14777
Attorney for Defendant City of Aberdeen

7
8 3/3/10
9 Date

/s/ Michael E. Tardif
Michael E. Tardif, WSBA No 5833
Attorney for Defendant Grays Harbor County

10 3/3/10
11 Date

/s/ Kenneth Orcutt
Kenneth Orcutt, WSBA No 10858
Attorney for WSP Defendants

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13 **ORDER**

14 THIS MATTER having come before the Court on the parties' stipulation for
15 modification of trial and pretrial dates , it is hereby

16 ORDERED, ADJUDGED and DECREED that the parties' stipulation set forth
17 above, is adopted by the Court as its Order of Continuance of Trial and Pretrial Dates.

18 DATED this 3 day of March, 2010.

19
20 
21 Robert J. Bryan
United States District Judge

22
23 **Presented by:**

24 DORSEY & WHITNEY LLP

25 /s/ Nathan T. Alexander
26 Nathan T. Alexander, WSBA No 37040
Attorney for Plaintiff

STIPULATION AND ORDER OF CONTINUANCE
OF TRIAL AND PRETRIAL DATES - 3

Cause No: C09-5119 RJB

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1 **Approved for entry:**

2 LAW, LYMAN, DANIEL,
3 KAMERRER & BOGDANOVICH, P.S.

4 */s/ Guy Bogdanovich*

5

Guy Bogdanovich, WSBA No 14777
6 Attorney for Defendant City of Aberdeen

7 FREIMUND JACKSON TARDIF &
8 BENEDICT GARRATT, PLLC

9 */s/ Michael E. Tardif*

10

Michael E. Tardif, WSBA No 5833
11 Attorney for Defendant Grays Harbor County

12 OFFICE OF THE ATTORNEY GENERAL FOR
13 THE STATE OF WASHINGTON

14 */s/ Kenneth Orcutt*

15

Kenneth Orcutt, WSBA No 10858
16 Attorney for WSP Defendants

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STIPULATION AND ORDER OF CONTINUANCE
OF TRIAL AND PRETRIAL DATES - 4

Cause No: C09-5119 RJB

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